

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA**

ZAO ODESSKY KONJATSCHNYI ZAWOD,
a Ukrainian corporation,

Plaintiff,

vs.

SIA "BALTMARK INVEST," a Latvian
corporation,

GLOBAL CLOSED JOINT STOCK
COMPANY, a Russian closed joint-stock
company, and

ZAO "GRUPPA PREDPRIYATIY OST," a
Russian closed joint-stock company,

Defendants.

District Judge James C. Cacheris

Magistrate Judge Ivan D. Davis

Civil Action No.: 1:12-cv-515

**DEFENDANT SIA "BALTMARK INVEST"'S
RULE 26(A)(3) PRE-TRIAL DISCLOSURES**

Pursuant to this Court's Rule 16(b) Scheduling Order dated May 28, 2013 (ECF # 77), its prior Order dated February 1, 2013 (ECF # 46) and Fed. R. Civ. P. 26(a)(3), this defendant files its pre-trial disclosures:

I WRITTEN STIPULATION OF UNCONTESTED FACTS

See Stipulation of Uncontested Facts filed by Plaintiff which are incorporated herein by reference.

II EXHIBIT LIST OF DEFENDANT SIA "BALTMARK INVEST"

Trial Exhibit #	Bates Range #	Description of Document
1	BALTMARK 0001-0300	Deposition of Nataliya Rybina
2	BALTMARK 0301-0432	Exhibits to Deposition of Nataliya Rybina
3	BALTMARK 0433-0669	Deposition of Elena Sorokina with Exhibits
4	BALTMARK	Assignment documents for U.S. Reg. No. 2885912

	0698-0712	(SHUSTOV), including merger documents of OST and Global
5	BALTMARK 0715-0720	Documents appointing BMC as U.S. distributor/agent
6	BALTMARK 0739-0746	License Agreement between Baltmark and TGNV Holdings, dated April 25, 2013.
7	BALTMARK 0747-0750	Trademark license agreement between from Baltmark to OST Ltd. For the mark SHUSTOFF, dated July 17, 2013.
8	BALTMARK 0751-0753	Assignment documents for U.S. Reg. No. 2772823 (SHUSTOV Cyrillic design mark), including merger documents of OST and Global
9		Record of Trademark Trial and Appeal Board proceedings Opposition No. 91161570 and Cancellation No. 92047126
10		U.S. Trademark Registration Certificate for U.S. Reg. No. 2885912, for the mark SHUSTOV and design
11		Russian Federation Trademark Certificate No. 240948, for the mark SHUSTOV and design

All other documents listed on Plaintiff's and Defendants' Initial Disclosures pursuant to Fed. Civ. P. Rule 26(a)(1), and all documents intended to be relied upon by Plaintiff.

III WITNESS LIST OF DEFENDANT SIA "BALTMARK INVEST"

Set out below are the witnesses which Defendant expects to present in the trial of this matter:

1. Ms. Elena Sorokina, Riga, Latvia. Ms. Sorokina is a member of the Board of Directors and is the sole owner of Baltmark, and has knowledge of the creation, acquisition, ownership, validity, purchasing, marketing, sale, distribution, and revenues of Baltmark's products and trademarks.

Defendant also reserves the right to call as a witness any individual set out on Plaintiff's witness list.

Dated: August 14, 2013

Attorneys for Defendant SIA "Baltmark Invest"

/s/ Andrew C. Hall
 Andrew C. Hall (VSB #73001)
 Wilson Elser Moskowitz Edelman
 & Dicker LLP
 8444 Westpark Drive - Suite 510
 McLean, VA 22102-5102
 Phone: 703.852.7789
 Fax: 703.245.9301
Andrew.Hall@wilsonelser.com

and

/s/ Anthony J. Davis

ANTHONY J. DAVIS (Pro Hac Vice)

Nicoll Davis & Spinella LLP

95 Route 17 South

Paramus, New Jersey 07652

Phone: (201) 712-1616

Fax: (201) 712-9444

ADavis@ndslaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 14th day August 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send an electronic notification to such filing (NEF) to all counsel of record in this matter.

/s/ Andrew C. Hall

Andrew C. Hall (VSB #73001)

WILSON ELSEER MOSKOWITZ

EDELMAN & DICKER LLP

8444 Westpark Drive - Suite 510

McLean, Virginia 22102-5102

703.852.7789

703.245.9301 (Facsimile)

thomas.appler@wilsonelser.com

andrew.hall@wilsonelser.com

Counsel for SIA "Baltmark Invest"